

TESTIMONY

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**In Support of House Bills 5198 and 5199
House Transportation Committee
Michigan Legislature**

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Chairwoman Byrnes and distinguished members of the Committee, my name is Brandy Nannini and I am the Vice President of Government Relations for The Century Council. Thank you for allowing me to testify in support of House Bills 5198 and 5199. We believe this legislation will reduce underage alcohol consumption in Michigan.

The Century Council was founded in 1991 and is an independent, national not-for-profit organization headquartered in Arlington, Virginia. Funded by America's leading distillers (Bacardi U.S.A., Inc.; Beam Global Spirits and Wine, Inc.; Brown-Forman; Constellation Brands, Inc.; DIAGEO; Hood River Distillers, Inc.; Pernod Ricard USA; and Sidney Frank Importing Co., Inc.), the Council is dedicated to developing and implementing programs that fight drunk driving and underage drinking. To date, we have hosted more than 2,000 community events to launch our programs across the nation bringing them to millions of parents, youth, educators, law enforcement officials and traffic safety professionals.

An independent Advisory Board comprised of distinguished leaders in business, government, education, medicine and other relevant disciplines assists the Council in its development of programs and policies. Additionally, the Council maintains advisory panels in the areas of education and traffic safety that provide related guidance.

Through the years, The Century Council has worked extensively throughout the nation on anti-drunk driving and underage drinking efforts. The Council's education efforts start in middle school and continue through college. Our newest program is *Ask, Listen, Learn: Kids and Alcohol Don't Mix*. Originally developed with Nickelodeon to help middle school aged children and their parents engage in on-going conversations about the dangers of underage drinking, it has been updated this year as a Wii-style interactive activity designed to help kids to say "yes" to healthy lifestyles and "no" to underage drinking. We launched this program in Vancouver at the Winter Olympics with The United States Ski and Snowboard Association and are now bringing it to schools and communities across the nation. Additionally we have developed *Not In Our House: A Nationwide Initiative on Underage Drinking and Social Hosting*, developed with Scholastic Inc. and sponsored by the International Institute of Alcohol Awareness (IIAA), a community-wide initiative to raise awareness about the dangers of illegal underage drinking; *Girl Talk: Choices and Consequences of Underage Drinking*, in partnership with the US Women's National Soccer Team Players Association, to improve dialogue among mothers and daughters on the issue on underage drinking; *Parents You're Not Done Yet*, a brochure that encourages parents to talk with their teens before they leave for college about the dangers of

underage drinking; *Cops in Shops*, a cooperative effort involving local retailers and law enforcement designed to deter minors from attempting to purchase alcohol illegally and adults who purchase alcohol for minors; and *Alcohol 101 Plus*, an innovative, interactive CD-ROM program aimed at helping students make safe and responsible decisions about alcohol on college campuses. This program is used widely across the country and The Century Council has shipped program materials to 33 colleges and universities in Michigan.

Our educational programs have been developed with the assistance of public and private organizations, such as the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the U.S. Department of Education, the National Middle School Association and the American School Counselor Association.

The Century Council's anti-drunk driving programs include the *Hardcore Drunk Driving Judicial Guide*, a partnership with the National Association of State Judicial Educators and the National Judicial College that provides a resource for judges and judicial educators with strategies and tactics to identify and sentence hardcore drunk drivers. We also have developed a *Hardcore Drunk Driving Prosecutorial Guide* with the National District Attorneys Association.

Despite significant progress over the past 20 years, underage drinking is a complex issue that persists in communities across the nation. While individuals under the legal purchase age obtain alcohol from a variety of sources, the National Academy of Sciences states that parties, friends and adult purchasers are the most frequent sources of alcohol among college students and older adolescents, and younger adolescents often obtain alcohol from family members. In fact, research conducted for The Century Council by Teenage Research Unlimited revealed that 65 percent of individuals between the ages of 10-18 who have consumed alcohol in the last year report obtaining their alcohol from family and friends.

According to the U.S. Department of Health and Human Services 2006-2007 National Surveys on Drug Use and Health, 29 percent of 12-20 year olds surveyed reported alcohol consumption in the past month in Michigan. In 2008, there were 47 alcohol-impaired driving fatalities in Michigan among those under 21, according to the National Highway Traffic Safety Administration. Additionally, there were 482 arrests for DUI and 4,033 arrests for liquor law violations among people under the age of 18 in 2008 according to FBI Uniform Crime Report data.

The Council supports effective and enforceable penalties, such as those proposed in House Bills 5198 and 5199. This legislation would improve Michigan's underage drinking prevention laws by allowing the Secretary of State to suspend the driver's license of a person who furnishes beverage alcohol to a minor. Additionally, these penalties should be publicized to maximize deterrence. Seven states already have this law in place and we strongly support this important addition to Michigan's laws to reduce underage drinking.

The Century Council believes that a combination of effective penalties and comprehensive education coupled with public education efforts about the crucial role of parents will enhance each community's efforts to reduce underage drinking. Working to restrict access to alcohol by those under the legal purchase age is everyone's goal. Thank you.

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Driver's License Penalties for Selling or Furnishing Alcoholic Liquor to a Minor

State	Law in Place	Conditions	Statute
Alabama			
Alaska			
Arizona	Y	A judge may suspend the driver's license for not more than 30 days for a 1 st conviction and not more than 6 months for a 2 nd or subsequent conviction.	A.R.S. § 4-241(P)
Arkansas			
California			
Colorado	Y	Upon notice that a person, other than a licensed business employee or agent, has been convicted, the department shall immediately suspend the license of the person for a period of not less than 6 months.	C.R.S.A. § 42-2-127.6
Connecticut			
Delaware			
District of Columbia			
Florida	Y	The court may order the department to withhold the issuance of, or suspend or revoke, the driver's license of a person who is found guilty for not less than 3 months or more than 6 months for a 1 st violation and for 1 year for any subsequent violation. (This does not apply to a licensee, employee or agent.)	F.S.A. § 322.057
Georgia			
Hawaii			
Idaho			
Illinois			
Indiana			
Iowa		2009 HB 301, HSB 37, HSB 84 & SSB 1095 would add the offense of a minor "permitting under legal age consumption or possession on certain property." A suspension of the person's motor vehicle operating privileges for up to 1 year would be optional upon a 2 nd offense & mandatory upon a 3 rd or subsequent offense.	Would amend I.C.A. § 123.47
Kansas			
Kentucky			

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Louisiana	Y	The driver's license may be suspended for a period of 180 days. Upon conviction, plea of guilty, or nolo contendere, the court shall surrender the driver's license to the Dept. of Public Safety & Corrections for suspension.	LSA-R.S. 14:93.13
Maine			
Maryland			
Massachusetts			
Michigan		2009 House Bills 5198 and 5199 would allow the Secretary of State to suspend an offender's license for 180 days.	Would amend MCL 436.1701 and 257.319, respectively
Minnesota			
Mississippi			
Missouri			
Montana			
Nebraska			
Nevada			
New Hampshire			
New Jersey			
New Mexico			
New York		2009 SB 1404 would require the court to suspend the driver's license for 30 days upon a 1 st offense, 90 days upon a 2 nd offense & 1 year upon a 3 rd or subsequent offense.	Would amend McKinney's Alcohol Beverage Control Law § 65
North Carolina	Y	The Division shall revoke the driver's license for 1 year.	N.C.G.S.A. § 20-17.3
North Dakota			
Ohio		HB 294 would allow the court to suspend the driver's license for up to 180 days if, as a proximate result of the offense, the minor committed any moving violation.	Would amend R.C. § 4301.99
Oklahoma			
Oregon			
Pennsylvania		2009 HB 824 would require PennDOT to suspend the operating privilege 90 days for a 1 st offense, 1 year for a 2 nd offense & 2 years for a 3 rd or subsequent offense. 2009 SB 748 would require the court to suspend the operating privilege 90 days for a 1 st offense, 6 months for a 2 nd offense & 1 year for a 3 rd or subsequent offense.	Would amend 18 Pa.C.S.A. § 6310.1 & 6310.4(a) & 75 Pa.C.S.A. § 1532 Would amend 18 Pa.C.S.A. § 6310.1

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Rhode Island			
South Carolina			
South Dakota			
Tennessee			
Texas	Y	On final conviction, the driver's license shall be automatically suspended 180 days for a 1 st offense and 1 year for a subsequent offense.	V.T.C.A., Transportation Code § 521.351
Utah			
Vermont			
Virginia	Y	The offender shall have his/her license suspended for a period of not more than 1 year.	Va. Code Ann. § 4.1-306(B)
Washington			
West Virginia			
Wisconsin			
Wyoming			

Currently, 7 states have enacted laws providing driver's license penalties for offenders who illegally sell or furnish alcohol to persons under age 21.